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Attorneys for AARON BREEDEN et al.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

AARON BREEDEN, et al.,

Plaintiffs,

vs.

BENCHMARK LENDING GROUP,  
INC., a Delaware Corporation and DOES  
1 through 100, inclusive,

Defendants.

Case No. C 04-05104 SC

**STIPULATION AND ~~PROPOSED~~  
ORDER TO MODIFY DEADLINES**

WHEREAS, on or about September 6, 2005, Defendant Benchmark Lending Group retained new counsel, Morgan Lewis and Bockius LLP to represent its interest in connection with this action;

WHEREAS, on September 22, 2005, the parties agreed to mediate this case before Michael Dickstein within 90 days;

WHEREAS, the hearing on Plaintiff's Motion for Leave to File a First Amended Complaint is currently set for October 14, 2005; and, the last day to file and serve an Opposition to this Motion is September 23, 2005;

WHEREAS, the deadline to produce documents and complete depositions, pursuant to a Stipulation and Order amending the Court's Order of August 25, 2005, are currently set for October 8, 2005, and November 7, 2005, respectively;

WHEREAS, the next status conference in this case is currently scheduled for November 18, 2005;

IT IS HEREBY STIPULATED AND AGREED, by and between the parties, and by and between their undersigned counsel, that good cause exists and it is in the best interests of both parties to continue all of these dates for 90 days in order to allow the parties to complete mediation. The parties propose the following modified schedule:

Complete Mediation	December 16, 2005
Oppose Motion for Leave To File Amended Complaint	December 22, 2005
Produce Documents Identified in August 25, 2005 Order	January 6, 2006
Hearing on Motion for Leave To File Amended Complaint	<del>January 12, 2006</del>
Complete Depositions Identified in August 25, 2005 Order	1/13/06 @ 10:00 A.M. SC February 5, 2006
Status Conference	<del>February 15, 2006</del> 2/10/06 @ 10:00A.M. SC

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1 Dated: September 23, 2005

MORGAN, LEWIS & BOCKIUS LLP

2 By

Barbara I. Antonucci  
Attorneys for Defendant  
BENCHMARK LENDING GROUP, INC.

6 Dated: September 23, 2005

BEYERS COSTIN

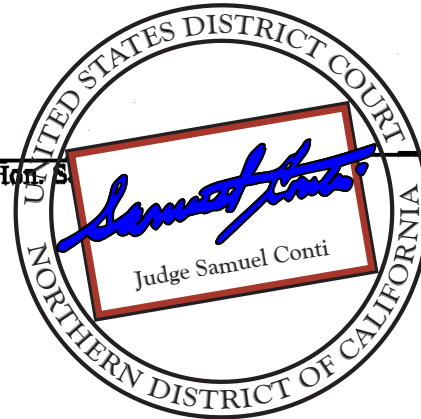
8 By

Peter L. Simon  
Attorneys for Plaintiffs  
AARON BREEDEN et al.

11 IT IS SO ORDERED:

12 Dated: 9/27, 2005

Hon. S



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STIPULATION AND [PROPOSED] ORDER

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